

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **IMPROVEMENTS RELATING TO MOBILE PHONES**

The specification of which is ☒ attached and/or ☐ was filed on ..... as Application Serial No. .... and was amended on (if applicable) .....

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 U.S.C. 119
AU	PN7551	15th January 1996	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

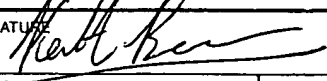
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	DATE OF FILING	STATUS (Patented, Pending, Abandoned)

I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Finnegan, Henderson, Farabow, Garrett and Dunner, Reg. No. 22,540; Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,973; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry D'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilly, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Robert J. Gaybrick, Reg. No. 27,890; Martin L. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Stephen J. Rosenman, Reg. No. 29,209; Barry W. Graham, Reg. No. 29,924; Thomas H. Jenkins, Reg. No. 30,857; and .....

Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT AND DUNNER, 1300 I Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR <b>KEITH BENSON</b>		INVENTOR'S SIGNATURE 	DATE <b>13/12/96</b>
RESIDENCE <b>UNIT 9, 46a ROBSART STREET, PARKSIDE, SA, 5063, AUSTRALIA</b>		CITIZENSHIP <b>BRITISH</b>	
POST OFFICE ADDRESS <b>UNIT 9, 46a ROBSART STREET, PARKSIDE, SA, 5063, AUSTRALIA</b>			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			

Applicant or Patentee: NEWCOM TECHNOLOGIES PTY. LTD. Attorney Docket No. \_\_\_\_\_

Serial or Patent No: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: IMPROVEMENTS RELATING TO MOBILE PHONES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) and 1.27 (c) - SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN NEWCOM TECHNOLOGIES PTY. LTD.

ADDRESS OF CONCERN 25 GRENFELL STREET, ADELAIDE, SOUTH AUSTRALIA, 5000  
AUSTRALIA

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled IMPROVEMENTS RELATING TO MOBILE PHONES

by inventor(s) KEITH BENSON described in

☒ the specification filed herewith

☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_

☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having the rights to the invention is listed below\* and not rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28 (b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING GEORGE HINIC

TITLE OF PERSON OTHER THAN OWNER DIRECTOR

ADDRESS OF PERSON SIGNING 68 Young St, PARKSIDE SA 5063

SIGNATURE G Hinic DATE 13/12/96

005730-11522960

Appin., NO.: Continuation of 08/782,244Filed: January 14, 1997or issued.: 1

M# / Client Ref.

Title: IMPROVEMENTS RELATING TO MOBILE PHONES

**SMALL ENTITY STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(d) and 1.27 (c)) - SMALL BUSINESS CONCERN**

I hereby state that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN FUNGE SYSTEMS INC.ADDRESS OF CONCERN: 8000 Towers Crescent Drive, Suite 1350, Vienna, VA 22182

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: IMPROVEMENTS RELATING TO MOBILE PHONES by inventor(s) Keith Benson described in

- x → ☒ the specification filed herewith.  
 one → ☒ Application No. 08/782,244, filed January 14, 1997  
 box → ☐ Patent No.     , issued

If the rights held by the above identified small business concern are not exclusive, each small entity individual, concern or organization having rights to the invention is listed in (A) and (B) below, and no rights to the invention are held by any person, other than this inventor, who could not qualify under 37 CFR 1.9(c) as an independent inventor if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

(A) FULL NAME of assignee/licensee/grantee/conveyee:  
 ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

(B) FULL NAME of assignee/licensee/grantee/conveyee:  
 ADDRESS

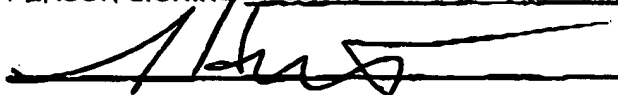
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

\*NOTE Separate statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.26(b))

NAME OF PERSON SIGNING Gregory D. HaightTITLE OF PERSON OTHER THAN OWNER Vice President/General CounselADDRESS OF PERSON SIGNING 8000 Towers Crescent Drive, Suite 1350, Vienna, VA 22182

SIGNATURE



DATE

8/15/02

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of  
Inventor(s): BENSON, Keith

Group Art Unit:

Examiner:

Appln. No.: 08 / 782,244

series code ↑ ↑ serial no.

Filing Date: January 14, 1997

Title: IMPROVEMENTS RELATING  
TO MOBILE PHONES

Atty. Dkt: PM268482 /

M# / Client Ref.

## POWER OF ATTORNEY FROM ASSIGNEE AND REVOCATION OF PRIOR POWERS

Asst. Commissioner of Patents  
Washington, D.C. 20231

Sir:

The undersigned being the assignee of record in the above-entitled patent application as shown by the chain of title from the original owner to the assignee as recorded on:

1. Date	<u>January 14, 1997</u>	Reel	<u>8402</u>	Frame	<u>0948</u>
2. Date	<u>February 28, 2000</u>	Reel	<u>010649</u>	Frame	<u>0324</u>
3. Date	<u>February 28, 2000</u>	Reel	<u>010638</u>	Frame	<u>0132</u>

hereby revokes all previous powers and appoints, Intellectual Property Group, . . . telephone (to whom all communications about this application are to be directed), and the below named persons (of the same address), individually and collectively, our attorneys to prosecute this patent application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent:

Paul N. Kokulis	16773
Raymond F. Lippitt	17519
G. Lloyd Knight	17698
Kevin E. Joyce	20508
George M. Sirilla	18221
Donald J. Bird	25323
Peter W. Gowdey	25872
Dale S. Lazar	28872
Glenn J. Perry	28458
Kendrew H. Colton	30368
Paul E. White, Jr.	32011
G. Paul Edgell	24238
Lynn E. Eccleston	35861
David A. Jakopin	32995
Mark G. Paulson	30793

Timothy J. Klima	34852
Stephen C. Glazier	31361
Ruth N. Morduch	31044
Richard H. Zaitlen	27248
Roger R. Wise	31204
Jay M. Finkelstein	21082
Michael R. Dzwonczyk	36787
W. Patrick Bengtsson	32456
Jack S. Barufka	37087
Adam R. Hess	41835
William P. Atkins	38821
Paul L. Sharer	36004

FUNGE SYSTEMS INC.

Assignee

By GREGORY D. HAIGHT

Name: [Signature]  
Title: Vice President/General Counsel

August 10, 2000

Date

Atty/Sec: /